
By: **Senators Hollinger, Gladden, Kelley, and Teitelbaum**
 Introduced and read first time: February 20, 2004
 Assigned to: Rules
 Re-referred to: Finance, February 27, 2004
 Re-referred to: Education, Health, and Environmental Affairs, March 3, 2004

Committee Report: Favorable
 Senate action: Adopted
 Read second time: March 16, 2004

CHAPTER _____

1 AN ACT concerning

2 **Health - Chore and Companion Service Agencies - Registration**

3 FOR the purpose of requiring the Department of Health and Mental Hygiene to adopt
 4 certain regulations relating to chore and companion service agencies; requiring
 5 that the regulations provide for certain registrations, background checks, and
 6 surety bonds; requiring the Department to register certain individuals;
 7 requiring certain chore and companion service agencies to conduct certain
 8 background checks and maintain certain surety bonds; prohibiting an individual
 9 who is not registered under this Act from operating, attempting to operate, or
 10 holding one's self out as operating certain chore and companion service agencies;
 11 providing for certain penalties; defining certain terms; and generally relating to
 12 the registration of chore and companion service agencies.

13 BY adding to
 14 Article - Health - General
 15 Section 19-4B-01 through 19-4B-06, inclusive, to be under the new subtitle
 16 "Subtitle 4B. Chore and Companion Service Agencies"
 17 Annotated Code of Maryland
 18 (2000 Replacement Volume and 2003 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 20 MARYLAND, That the Laws of Maryland read as follows:

Article - Health - General

SUBTITLE 4B. CHORE AND COMPANION SERVICE AGENCIES.

19-4B-01.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) "CHORE AND COMPANION SERVICES" MEANS:

- (1) HOME MANAGEMENT;
- (2) MEAL PLANNING AND PREPARATION;
- (3) SHOPPING; AND
- (4) OTHER HOUSEHOLD-RELATED ERRANDS.

(C) "CHORE AND COMPANION SERVICE AGENCY" MEANS AN AGENCY THAT REFERS INDIVIDUALS TO THE HOME OF A SICK OR DISABLED INDIVIDUAL TO PERFORM CHORE AND COMPANION SERVICES.

19-4B-02.

(A) THE DEPARTMENT SHALL ADOPT REGULATIONS THAT SET STANDARDS FOR THE CARE, TREATMENT, HEALTH, SAFETY, WELFARE, AND COMFORT OF INDIVIDUALS WHO RECEIVE CHORE AND COMPANION SERVICES THROUGH A CHORE AND COMPANION SERVICE AGENCY.

(B) THE REGULATIONS SHALL PROVIDE FOR:

- (1) THE REGISTRATION OF CHORE AND COMPANION SERVICE AGENCIES;
- (2) CRIMINAL BACKGROUND CHECKS; AND
- (3) SURETY BONDS.

19-4B-03.

THE DEPARTMENT SHALL REGISTER AN INDIVIDUAL BEFORE THE INDIVIDUAL MAY OPERATE A CHORE AND COMPANION SERVICE AGENCY.

19-4B-04.

A CHORE AND COMPANION SERVICE AGENCY SHALL:

- (1) CONDUCT CRIMINAL BACKGROUND CHECKS OF THE INDIVIDUALS IT REFERS; AND

1 (2) MAINTAIN A SURETY BOND IN THE FORM AND AMOUNT
2 DETERMINED BY THE DEPARTMENT THROUGH REGULATION.

3 19-4B-05.

4 AN INDIVIDUAL MAY NOT OPERATE, ATTEMPT TO OPERATE, OR HOLD ONE'S
5 SELF OUT AS OPERATING A CHORE AND COMPANION SERVICE AGENCY, UNLESS THE
6 INDIVIDUAL IS REGISTERED UNDER THIS SUBTITLE.

7 19-4B-06.

8 (A) AN INDIVIDUAL WHO OPERATES A CHORE AND COMPANION SERVICE
9 AGENCY WITHOUT A REGISTRATION OR IN VIOLATION OF THE REGULATIONS
10 ADOPTED UNDER THIS SUBTITLE IS GUILTY OF A MISDEMEANOR AND ON
11 CONVICTION IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR THE FIRST OFFENSE
12 AND NOT EXCEEDING \$10,000 FOR EACH SUBSEQUENT OFFENSE.

13 (B) EACH DAY A VIOLATION IS CONTINUED AFTER THE FIRST CONVICTION IS
14 A SEPARATE OFFENSE.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
16 October 1, 2004.